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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,430	10/31/2001	Roland M. Hochmuth	10017761-1	2418

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EXAMINER

YANG, RYAN R

ART UNIT

PAPER NUMBER

2628

MAIL DATE

DELIVERY MODE

01/29/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/001,430

**Applicant(s)**

HOCHMUTH ET AL.

**Examiner**

Ryan R. Yang

**Art Unit**

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 19-25 and 34-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-25, 34-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-949)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

This action is non-final.

2. Claims 19-25 and 34-39 are pending in this application. Claims 19 and 34 are independent claims.

3. The present title of the invention is "System and method for communicating graphics image data over a communication network" as filed originally.

#### ***Claim Rejections - 35 USC § 103***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 19-25 and 34-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emerson et al. (US 6,664,969) and further in view of Atsumi et al. (US 6,891,973).

As per claim 19, Emerson et al, hereinafter Emerson, discloses a method of transmitting graphics image data over a communication network, comprising:

comparing graphics image data of a new image for a destination device with graphics image data of a previous image for said destination device stored in a frame buffer of a graphics adapter remote from said particular destination device, said graphics adapter rendering said graphics image data for said new image and said previous image ("the processor 100 may periodically read the video graphics data from the frame buffer 114a in order to determine whether the data has changed. If the data

has changed, the processor 100 will compress the video graphics data and transmit the data to the remote console C via one of the communications devices", column 6, line 16-21, where any region of a frame buffer is considered a region and the remote console C is a destination device in a internet connection (column 4, line 4) where a plurality of destination devices could be connected);

selecting blocks of graphics image data of new image that are different from corresponding blocks of graphics image data of previous image in a region of interest of said previous image specified by said destination device, wherein said region of region is a portion of said previous image ("Each block is periodically monitored for changes by calculating a hash code and storing the code in a hash code table. When the hash code changes, the block is transmitted to the remote console", Abstract, line 5-8; wherein the display area is a specific area of interest); and

formatting, by said graphics adapter, said selected blocks of graphics image data of said new image into a plurality of packets for transmission by a network interface of said graphics adapter over said communication network ("processing continues at step 554 where the transmit buffer is developed into a transmit packet and transmitted to the remote console C via the modem 112a or NIC 110", column 15, line 48-50).

Emerson discloses a method of transmitting image data. It is noted that Emerson does not explicitly disclose said region of interest is a portion of image specified by said destination device. However, this is known in the art as taught by Atsumi et al., hereinafter Atsumi. Atsumi discloses a method of transmitting an image data wherein the region of interest is a portion of image specified by said destination device ("When

the region-of-interest is selected in the middle of transmission (on-line), the selection can be performed on the receiving side wherein the receiving side sends information to the encoding or transmission side regarding the region-of-interest", column 7, line 60-64).

Thus, it would have been obvious to incorporate the teaching of Atsumi into Emerson because Emerson discloses a method of transmitting an image and Atsumi discloses the region of interest is a portion selected by a destination device for the purpose reducing processing time.

6. Regarding claim 20, Emerson and Atsumi demonstrated all the elements as disclosed in claim 19, and Emerson further discloses that transmitting a plurality of packets to said destination device over said communication network (Figure 3, item 110 and 112A are communication networks).

7. Regarding claim 21, Emerson and Atsumi demonstrated all the elements as disclosed in claim 19, and Emerson further discloses that compressing said selected blocks of graphics image data prior to formatting selected blocks of graphics image data (Figure 6; "A pixel block 200 is first converted to a 6-bit color pixel block 208, as noted above. Then the 6-bit color pixel block 208 may be compressed by a compression function 210 and temporarily stored in a transmit buffer 212. At least at the end of each row, a transmit packet 214 is developed having a conventional header and footer as required by the particular network transport scheme", column 9, line 12-18).

8. Regarding claims 22-23, Emerson and Atsumi demonstrated all the elements as disclosed in claim 19, and Emerson further discloses that adding identification

information identifying selected blocks to plurality of packets and identification information comprises block numbers for selected blocks ("At least at the end of each row, a transmit packet 214 is developed having a conventional header and footer as required by the particular network transport scheme", column 9, line 15-18).

9. Regarding Claim 24, Emerson and Atsumi demonstrated all the elements as disclosed in claim 22, and Emerson further discloses an identification information comprises coordinate information for a plurality of corners of said selected blocks ("One example of marking surrounding pixels blocks is illustrated in FIG. 11B. A changed pixel block 200 was located at row 4, column 4", column 14, line 12-14).

10. Regarding claim 25, Emerson and Atsumi demonstrated all the elements as disclosed in claim 20, and Emerson further discloses waiting for a request for graphics image data from said destination device ("The remote console C communicates its ability to interpret the special commands before the remote management board 50 will send graphics data", column 10, line 14-17).

11. Regarding claims 34-39, Emerson and Atsumi disclose a graphics processing system (Emerson Figure 3; Grabowski Figure 4) with all the claim limitations similar to claims 19-22 and 24-25 respectively, therefore are rejected as claims 19-22 and 24-25 respectively.

#### ***Response to Arguments/Amendments***

12. Applicant's arguments with respect to claims 19 and 34 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan R. Yang whose telephone number is (571) 272-7666. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ryan R Yang/  
Primary Examiner, Art Unit 2628  
January 29, 2009